**Letter before action
Accessible toilet is locked**

To: [Name of the company which provided the service]
[Address]
[Also by email]

From: [Your name]
[Your Address:]
[Your phone:]
[Your Email:]

[Date:]

Dear (Company’s name)

**Re: Letter before action for Disability Discrimination – the Equality Act 2010**

I am writing this letter in accordance with the pre-action protocol of Civil Procedure Rules.

I am a Disabled person and you have discriminated against me. This is unlawful and you have to take steps to put things right. If you do not do so, I will take legal action to protect my interests. In this letter I will set out the events giving rise to this claim and the law.

**I am a Disabled person under the Equality Act 2010**

I am a Disabled person within the meaning of Section 6 of the Equality Act 2010.

[Describe your impairment and the impact it has on you. For example: “I have a spinal injury and I use electric wheelchair to move around.”]

**The facts of the case**

[Give details of what happened, with date, time, and place. For example: “On [X date] at approximately [X time] I visited your restaurant at [X address].”]

[Describe exactly what went wrong. For example: “I needed to use the toilet, but the accessible toilet was locked. I asked a member of staff to open it, but was told that it was not possible as it was not in use.”]

[Describe the impact this had on you, including being unable to access a service, feeling humiliated, any physical or financial impact, were your choices restricted?

For example: “As a result I had to finish my meal, I had to rush to frantically search for an accessible toilet, it was physically painful, extremely inconvenient, stressful and most importantly humiliating.”]

**The law and how it applies to my situation**

You are a service provider under Section 29 of the Equality Act 2010. Section 20 of the Equality Act 2010 requires you to take such steps as it is reasonable to ensure Disabled people like me can access your services like everybody else. Those steps should include: changing policies, practices or the way you provide your service, altering a physical feature or providing an auxiliary aid or service. Although there was an accessible toilet, which would have enabled me to use your service like everybody else, it did not work and I was disadvantaged as a result. I do not see how it can be reasonable for you to use the accessible toilet for any other purpose or to lock it. You would not do so with other toilet facilities.

Section 15 of the Equality Act makes it unlawful for you to treat Disabled people unfavourably because of something arising as a consequence of Disability. As a consequence of Disability, I can only use an accessible toilet. Your practice of locking your accessible toilet or using it for other purposes has put me at a disadvantage. I do not see how this practice could be objectively justified.

By failing to ensure the accessible toilet is working properly and is available for your Disabled customers to use, you have discriminated against me.

**What you need to do to put things right**

I expect you to do all the things I would achieve if I took a case to court, including the following:

1. A written apology;
2. A confirmation from you in writing that you will change your practice, ensuring accessible toilet is not used for any other purposes and is open for your Disabled customers to use;
3. Compensation for injury to feelings and any financial losses I have suffered as a result of the discrimination outlined above.

**Next Steps**

Please, acknowledge the receipt of this letter by email. I very much hope we can resolve this matter amicably. I look forward to hearing from you within the next 21 days.

I am happy to engage with you to explore other ways to resolve this dispute rather than going to court. However, if I do not hear from you, or if you deny that you are in breach of the Equality Act then I will issue proceedings in the county court against you. You could then become liable for my legal costs as well as the compensation I am seeking outlined above.

Yours sincerely